

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHARLES WHITTED,

Plaintiff,

v.

05-CV-748
(TJM/DEP)

GEORGE PATAKI; MYRA PALMER;
ROBERT DENNISON; KENNETH WEGMAN;
ALLEN KOLODNY; VANESSA CLARKE;
DAIZEE D. BOUEY; THOMAS GRANT;
LIVIO LAZZARI; DEBRA LOOMIS;
R. GUY VIZZIE, JR.,

Defendants.

THOMAS J. McAVOY
United States District Judge

DECISION and ORDER

Plaintiff, a New York state prison inmate, commenced this action against Defendants pursuant to 42 U.S.C. § 1983 claiming multiple civil rights violations. This matter was referred to the Hon. David E. Peebles, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

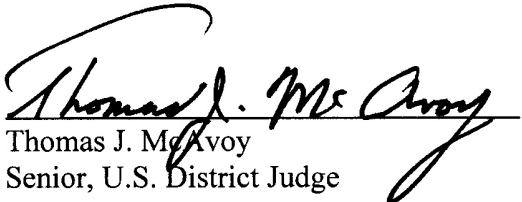
No objections to the August 18, 2006 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein and DISMISSES the petition.

Accordingly, it is Ordered that:

1. Defendants' Motion to Dismiss be GRANTED, and that Plaintiff's Complaint be DISMISSED in its entirety without leave to replead; and
2. The Clerk of the Court close the file in this case.

IT IS SO ORDERED.

Dated: September 28, 2006


Thomas J. McAvoy
Senior, U.S. District Judge